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SAP AG, SAP AMERICA, INC., and
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE USA, INC., et al.,
Plaintiffs,
v.
SAP AG, et al.,
Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DECLARATION OF MIA LEE IN SUPPORT
OF DEFENDANTS' OPPOSITION TO
ORACLE'S MOTION TO MODIFY THE
PROTECTIVE ORDER AND TO COMPEL
DEPOSITION TESTIMONY AND FURTHER
RESPONSES TO REQUESTS FOR
ADMISSION**

Date: January 26, 2010; Time: 9:00 am
Courtroom: E, 15th Floor
Judge: Hon. Elizabeth D. Laporte

1 I, MIA LEE, declare:

2 I am a Senior Contracts Specialist for SAP America Inc. ("SAP America"), one of the
3 Defendants in this case. I make this declaration based on personal knowledge and, if called upon
4 to do so, could testify competently thereto.

5 1. Since May 1, 2006, I have held the position of Senior Contracts Specialist for SAP
6 America. My responsibilities included documenting business transactions, providing documents
7 to prospective customers, and negotiating contracts with potential customers. In some contract
8 negotiations, I consulted SAP America's in-house attorneys for legal advice as needed.

9 2. I have reviewed an unredacted version of Exhibit 1683, SAP-OR00677719-26.
10 This document reflects a series of emails, some of which I either sent or received. The emails
11 refer to a contract negotiation with E & J Gallo Winery. The email dated May 11, 2006, sent at
12 13:56 (1:56 pm), reflects my request for legal advice from Scott Trainor, who I understood to be
13 an SAP America in-house attorney, concerning TomorrowNow's provision of support services. I
14 intended the communication to be confidential and privileged.

15 I declare under penalty of perjury under the laws of the United States and the State of
16 California that the foregoing is true and correct. Executed this _____ day of January 2010 in
17 Irvine, California.

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Mia Lee